

SPEECHES

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THOMAS F. MARSHALL, OF KENTUCKY,

1801 - 1864

ON THE

RESOLUTIONS TO CENSURE JOHN Q. ADAMS,

DELIVERED

IN THE HOUSE OF REPRESENTATIVES OF THE U. S.

JANUARY 25, 26, AND 28, 1842.

REVISED AND CORRECTED BY THE AUTHOR.

WASHINGTON:
PRINTED BY BLAIR & RIVES.

1842.



To the People of Franklin, Woodford, Fayette, and Clarke counties, comprising the 10th Congressional District of Kentucky.

The question of censure against Mr. ADAMS, which has now been pending two weeks, having been disposed of by the House of Representatives, by laying the whole subject on the table, I have thought it due to myself and to truth to lay before you, in a corrected form, all that I have said during the discussion of the amendment offered by myself to the original resolution of Mr. GILMER. In the following pages dedicated to you, you will find the whole argument, so far as I am concerned. Believing it impossible, when I first came here, that a man holding the relations to the history of this country which Mr. ADAMS does, could be seriously bent upon forwarding the schemes or establishing the principles of that infuriated sect, the abolitionists; and having understood that his whole conduct arose, in reality, from a conscientious devotion to the unlimited right of petition in the people, coupled with an equal devotion to the principles of the Union, as held by you and myself,—I was in favor of repealing the 21st rule, with a view to give Mr. ADAMS, and the northern statesmen, an opportunity of quieting, by a report of their own, the irritation which must always accompany the agitation of the question of slavery in Congress; of disabusing the public mind in the slave States, in relation to the views of the public men of the north; and of rebuking the outrageous proceedings of that sect, whose principles and efforts are, utterly inconsistent with the indisputable rights of the slave States, as recognised and guaranteed by the Federal constitution, with the harmony of the country, and even with the long duration of our united government. I am within the true limits when I say that Mr. ADAMS has consumed two months of the six we have been in session, in endeavoring to repeal the 21st rule, or to foist in petitions against its provisions. His indefatigable obstinacy on this subject would be incredible to those who have not attended to his course. For some time I have suspected that the mere abstract right of petitioning the government upon a subject which many of the abolitionists themselves admit to be entirely out of its jurisdiction, could not be at the bottom of his movements. Indeed, they now are pretty generally taking the ground, in the resolutions and reports of their conventions, (of which they have held several during the present session of Congress, the proceedings of which have been regularly forwarded

to me;) and in their newspapers, with which, from the numbers mailed to me, the north is swarming, that the dissolution of the Union is a necessary step to the abolition of slavery, which they demand to be instant and complete. The exclusive control of the subject is so clearly left with the States where slavery exists, under the constitution, that public sentiment, even in the north, can never be brought to tolerate any interference with it upon the part of the national government, while that instrument remains in force, and we continue a united people. I have heard Mr. ADAMS, indeed, say upon the floor of Congress, that the case of insurrection did, by express provision of the constitution, warrant the interference by the general government with the institutions of the south; and that when once in, it might, under the treaty-making power, emancipate the slaves, as a mean of settling the disturbance. But, in all candor, I believe he stood alone in the opinion, as he certainly did in its expression.

Seeing, then, that the questions of abolition and disunion are connected together by these fierce incendiaries, who have gone so far as to publish a proclamation to the slaves, and to nominate a candidate for the Presidency, it was just matter of indignation, if not of alarm, to see the ex-President of the United States bring forward, in all serionsness, a petition to Congress, to take the preliminary steps to the destruction of the government.

That my views on this subject may at least be clearly apprehended by you, I have prepared the following pages, and invoke your careful perusal.

Different persons will put different constructions upon the vote of the House, laying the resolutions on the table. The motives operating were, in reality, various and contradictory. The course pursued by Mr. WISE, was the reason with some; the fact that the democratic party in the House very generally supported the resolutions, operated upon others; and a belief that the right of petition was involved in the question, would have induced some who are really attached to the Union to vote against the censure. Whatever may have been the motives, however, of the majority of the House to give this question the go-by, it will unquestionably be claimed by Mr. ADAMS as a triumph over the slave States. What the people may think of it, or how it may operate upon the political parties, who seem resolved not to agree even upon a question involving the destruction of the government, for the control of which they are both struggling, it is not for me to say. That the House should have refused to lay the resolutions on the table in the first instance, and, after hearing Mr. ADAMS for six days, determined to do so, may be ascribed by some to mere weariness; with the world at large, however, it will be most probably considered as a decision in his favor. The question against the reception of the petition was decided by a large majority. Whatever course the abolitionists may choose to pursue in Congress—

for they must now be understood to have an accredited organ on the floor, for whom they have furnished reporters to laud all he does, to appropriate his exertions, and to defame and blacken those who oppose him,—though petitions to dissolve the Union be poured in by thousands, I shall not again interfere on the floor of Congress ; considering, as I do, that the House have virtually decided that there is nothing contemptuous or improper in offering them, and unwilling again to afford to Mr. ADAMS an opportunity of sweeping all the strings of discord that exist in our country. I acted as I thought for the best, being sincerely desirous to check that man, who, if he could be removed from the councils of the nation, or silenced upon the exasperating subject to which he seems to have devoted himself, none other, I believe, could be found hardy enough or bad enough to fill his place.

One word upon the subject of the right of petition, and I have done. There is not, in our system of popular government, one principle more sacred, fundamental, or important, than that which keeps open the avenues between the complaints of the citizens and the ear of delegated power. But, like every thing else, it has limits which clear reason must define. Why is it that the right of the people to assemble peaceably, and petition for redress of grievances, is so solemnly inserted in the constitution ? That the government should hear and determine upon their truth, and upon the remedy. The idea that the people have a right to petition, and that the government are not bound to receive and consider of the same,—the right to be heard on one side, and the right to seal up their ears so that they cannot hear on the other,—is, as it strikes me, the height of absurdity and trifling. If, then, there be any subject which the government are not only under no obligation to consider, but which they are sworn not to touch—which they cannot consider without dishonor—surely, on this subject no one can be held to have a right, in any known acceptation of that term, to petition. There may be—nay, there are, questions of doubtful power ; but there are others that are clear, settled, undisputed, indisputable. A portion of the people may—that is, they have the natural ability—to draw in writing and subscribe a petition, praying Congress to move on the White House *en masse*, and cut the President's throat ; to repeal the Christian religion, or to dethrone the Almighty from the government of the world ;—but who shall say that this is a right, in the legal, or moral, or any other sense, which imposes, as right always does, the correlative obligation on the legislature to listen ? That any gentleman should vote against the reception and consideration of a petition, which he admits the right in the people to prefer, passes my understanding. Regarding, then, the abolition of slavery in the south, or the overthrow of the Union itself, as too clearly beyond the power of the government to admit of argument, I deem that the government is under no obligation to receive,

and that no portion of the people have therefore the right to petition touching those subjects ; and that the pressing continually these matters on the government, for the mere purpose of strife and agitation, or for any other purpose, is offensive, contemptuous, and mischievous. The lamented General Harrison, whose death has involved the parties and the politics of his country in such disastrous confusion, held that it was unconstitutional in the citizens of the free States to discuss the question of abolition, as tending to violate the well-settled and indisputable rights of a portion of the confederacy, as secured in the terms of the Union.

I have spun out this letter longer than I intended. I shall communicate with my constituents in this mode again, before the close of the session. Till then, believe me, to the utmost of my ability, yours,

THOMAS F. MARSHALL.

WASHINGTON, February 8, 1842.

SPEECH.

The question being on the proposition of Mr. GILMER, of Virginia, which was in these words :

"Resolved, That, in presenting to the consideration of this House a petition for the dissolution of the Union, the member from Massachusetts, Mr. Adams, has justly incurred the censure of this House."

Mr. MARSHALL, of Kentucky, rose and addressed the Speaker as follows :

Mr. SPEAKER : I have prepared resolutions with a very short preamble, but going somewhat more at large into the subject than is done in the proposition of the gentleman from Virginia. I wish to propose them as a substitute for that gentleman's resolution, and I hope that he will assent to it. As the resolutions are drawn in my own handwriting, and as there are alterations and interlineations in the manuscript, with the permission of the House, in order that the gentleman may judge whether he will accept what I offer in lieu of his own, I will read it in my place, rather than send it to the clerk's table.

Mr. MARSHALL then read the following :

"Whereas the Federal Constitution is a permanent form of government and of perpetual obligation, until altered or modified in the mode pointed out by that instrument; and the members of this House, deriving their political character and powers from the same, are sworn to support it; and the dissolution of the Union necessarily implies the destruction of that instrument, the overthrow of the American Republic, and the extinction of our national existence: A proposition, therefore, to the representatives of the people, to dissolve the organic law framed by their constituents, and to support which they are commanded by those constituents to be sworn, before they can enter upon the execution of the political powers created by it, and intrusted to them, is a high breach of privilege; a contempt offered to this House; a direct proposition to the Legislature, and each member of it, to commit perjury; and involves, necessarily, in its execution and its consequences, the destruction of our country and the crime of high treason.

Resolved, therefore, That the Hon. John Q. Adams, a member from Massachusetts, in presenting for the consideration of the House of Representatives of the United States, a petition praying the dissolution of the Union, has offered the deepest indignity to the House of which he is a member; an insult to the people of the United States, of which that House is the legislative organ; and will, if this outrage be permitted to pass unrebuked and unpunished, have disgraced his country, through their representatives, in the eyes of the whole world.

Resolved, further, That the aforesaid John Q. Adams, for this insult, the first of the kind ever offered to the government, and for the wound which he has permitted to be aimed, through his instrumentality, at the Constitution and existence of his country, the peace, the security, and liberty of the people of these States, might well be held to merit expulsion from the national councils; and the House deem it an act of grace and mercy, when they only inflict upon him their severest censure for conduct so utterly unworthy of his past relations to the state, and his present position. This they hereby do, for the maintenance of their own purity and dignity; for the rest, they turn him over to his own conscience and the indignation of all true American citizens."

Mr. MARSHALL resumed : I am very well aware, sir, and had, before I drew these resolutions, maturely considered of all I should expose myself to by submitting them; and if I am at all acquainted with my own temper,

or with the movements of my own mind and heart, I have been induced to take a position of this kind by no personal feeling toward the gentleman upon whom it is proposed to inflict the censure of this House, still less by any sectional feeling against that portion of the United States which he represents on this floor; and, sir, it is of the last importance to the course I am now pursuing, a course which involves heavy responsibilities, that I should be free from all such motives. From the short time I have had a place on this floor, it can scarcely be charged against me that I have ever manifested any hostility to the northern portion of our fellow-citizens. The policy which I have advocated here—in advance, too, of the question—has looked to the protection and promotion of their peculiar industry. Towards the gentleman himself, the history of the past, and my personal bearing to him here, will absolve me from the suspicion of being actuated by personal hostility. His name and the name of his family have been connected in political history and administration with that which I bear; and I devoted the first warm years of my manhood in earnest endeavors to support the gentleman himself in the first office within the gift of this great people—an office which, if the proposition I am now animadverting upon be carried into effect, will be terminated with the existence of the nation, over whom the gentleman and the gentleman's father have been heretofore called to preside. Whatever feelings of personal bitterness may exist in the gentleman's bosom towards other portions of the slave States,—however deep the cause he may have for that determined spirit of hate and vengeance towards them, which seems to actuate him on this floor,—he should entertain no such feelings against me, or at least there is nothing in my past conduct to warrant them.

Within the last few days scenes have been enacted in this hall, which have presented the American Congress to the world in a point of view equally discreditable to themselves and to the country, and which bring crowds to the galleries to witness the termination of what I have heard denominated by the crowd in the street, "the row in the House of Representatives." Even in such scenes, in which the gentleman from Massachusetts has been the prime actor, my conduct towards him has been marked by courtesy and kindness. Sir, I moved to give him the opportunity of defending himself against the charges contained in a petition which he presented, praying his removal from the chair of the Committee on Foreign Relations. I repeat it, sir, that courtesy, personal courtesy and kindness towards that gentleman, have distinguished me, from the commencement of my service in Congress to this hour. But, sir, when a proposition so monstrous as this is made, and that too in the midst of the difficulties, embarrassments, and confusion, in which our public affairs are involved, and all the sources of popular discontent we see around us—a proposition calling upon the members of this House to betray the trust solemnly confided to them by the people, violate their oaths, and destroy a constitution which they are bound by every consideration of honor, conscience, and patriotism, to support and defend,—it strikes me with horror, and exhausts my patience. That there may exist out of this House men under the influence of a fanaticism, wild enough and mad enough to nourish such a project, or urge such a petition, I do believe, and did hope they were few and contemptible; but that there was a member on this floor who could be willing to assume the responsibility, through all coming time, of presenting to the government of the United States a proposition to terminate its own existence, I had not

believed. I had indeed heard it whispered that such a memorial would be presented, but I rejected the idea with utter incredulity and perfect scorn.

Now, it may be said, and perhaps has been said, that the petition is worthy only of contempt; and that the Congress of the United States should pass over this insult without notice. To this view of the matter I cannot give my assent. Holding this Union, as I do, to be the only pledge for, and the only means of, perpetuating the liberties of the people,—holding this Union, as I do, in a most especial manner, as the only means under high heaven by which that State in which I live, and that people whom I represent, can be preserved in safety and independence,—there is, in my judgment, sacrilege in approaching it in this manner. Coming from any quarter, it is sacrilege. Coming from the quarter it does, it assumes a political importance which it would not otherwise possess. He, sir, through whom the proposition is made to pull down the temple of liberty, was once its high priest, and ministered at its altar. It is no obscure hand, and no obscure name which is connected with this procedure. That name has gone abroad, and must go down to posterity in permanent connexion with our country's history. The enemies of freedom, who have so fondly predicted the dismemberment of this confederacy, have now their eyes turned to the movements of this hall, and to the movements of this gentleman, in relation to a question which, of all others, presents the greatest danger to our institutions. And this question, regarded by our rivals and enemies abroad as the thorn in the side of the giant republic—a thorn which is to rankle and fester till, in their judgment, it will ultimately divide and destroy,—this is the very question which that gentleman has been fonder of stirring than all others; which he nurses, indeed, to the exclusion of all others. This subject, however, does not enter, in the remotest degree, into the paper I have offered. God forbid that I should draw a line which is to array the southern men on one side, and the northern on the other. Surely, surely, the north is bound by love of country to oppose the memorial presented by the gentleman from Massachusetts, as strenuously as the south. Are northern men prepared to say that, under any law or right, petitions of this sort shall be laid before the Congress of the United States without censure or rebuke?—that a member shall be allowed to present a question here, and start it as a subject of legislative consideration in this House, which looks to the dissolution of the Union? But I am told here, that, at the time this proposition was presented, there was connected with it another—that the committee to which it was proposed to refer it, should report the reasons why the prayer of the petitioners should not be granted. In my humble judgment, this does not affect the question; or, if it does, it makes the case worse. If, under some fancied right of petition, extending to subjects over which the party petitioned has neither jurisdiction nor control, and to which, though they can be neither granted nor acted upon, so much importance seems to be attached in one portion of the Union, the gentleman had barely presented the petition, in fulfilment of what he believed to be a solemn duty, it might alter the case; but here it was proposed to be made the subject of legislative consideration, and that a report should be prepared and presented to the House in accordance with the views of the mover. It was to become a precedent, as far as it went, amounting to this: that the dissolution of the Union was a fair subject of legislative consideration, and could be brought up in this House, in the shape of a report, for discussion. It was to be a debatable question here—it was a matter to be regarded by

the legislator as within the scope of his ordinary functions ;—and this position I would meet at the threshold, with the sternest possible rebuke. I know that the action of this House, on this subject, will go abroad to the nations of the world ; and I wish it to be shown that, whatever of mischief, and misery, and confusion, may come upon us in after years, at this time of day the Congress of the United States will not permit one of its members to become the vehicle of a proposition so monstrous, that it cannot be acted on without dishonor to themselves, or carried into effect without ruin and crime. Thus much I have thought proper to say in presenting the resolutions. If there be wrong, or injustice, or falsehood in them, let the responsibility fall, without shield or mitigation, on my bare head. That mischief can follow what truth and justice and our own dignity most clearly indicate, I cannot believe. I do not harbor the idea that the general sentiment of the north can approve the movement which I have asked you to censure with so much severity. What ! Massachusetts—of all the lands o'er which heaven's free sun flings his radiant smile—Massachusetts to come forward, and, through a man bearing the name which this gentleman does, make a proposition to dissolve the Union !

[Mr. ADAMS, after having spoken at some length in reply to the foregoing, the next day made a question of order, "whether the House has the right to entertain this resolution, because it charges him with crimes of which this House has no jurisdiction ; and because, if the House entertain the jurisdiction, they deprive him of rights secured to him by the constitution of the United States." Mr. ADAMS relied mainly on the sixth article of the amended constitution, securing, in criminal prosecutions, the right of trial by jury. In reply, Mr. MARSHALL spoke as follows:]

Mr. Speaker : The gentleman charges me with entire ignorance of law. I confess, sir, that I am not so profound a jurist as I could desire, or as I ought to be. I can inform the gentleman, however, that were I inclined to hold him to strict law, it is too late for him to file his dilatory plea to the jurisdiction, after having entered his defence to the merits, and proceeded at some length in his argument. I waive, however, all technical objections, and give him the full benefit of his plea in abatement. In the question now made, there are two points to be considered : one a matter of fact, the other of law. The gentleman has assumed, in the first place, that the resolutions charge him with subornation of perjury and high treason, and that he is on trial here for those offences. A very superficial examination of the resolutions, I think, will satisfy any one that the gentleman is mistaken in point of fact. He is not charged with either of those offences. It is charged, in the preamble, that a proposition "to the representatives of the people, to dissolve the organic law framed by their constituents, and to support which they are commanded by those constituents to be sworn, before they can enter upon the execution of the political powers created by it, and intrusted to them, is a high breach of privilege; a contempt offered to this House ; a direct proposition to the Legislature, and each member of it, to commit perjury ; and involves, necessarily, in its execution and its consequences, the destruction of our country and the crime of high treason."

Now this petition was not drawn by the gentleman, nor is he charged with drawing it.

[Mr. ADAMS here asked, Why am I to be punished for it?]

Mr. MARSHALL resumed: Because, as a member of this House, the gentleman has permitted himself to be used as a vehicle by which a petition, involving within itself the proposition here set forth, was offered to the representative body of the nation; and the charge against the gentleman, of offence against the privileges of this body, for which I have ventured to arraign him, was not that he had petitioned for this object, or sanctioned the prayer of the petition; because the journal showed that he had, at the same time, moved that the committee report the reasons why the prayer of the petition should not be granted. The gist of the charge was, that the petition was offered; the ground of the contempt to the House is, that the gentleman, knowing its contents, has laid before them from others a proposition offensive and insulting, as inviting the House to do that which amounts to a violation of their official oaths. It is not charged, even, that the petitioners are guilty of treason; nor that the act of Congress which they seek would amount to treason; but that the execution of that act, and the consequences, to wit: the overthrow of the constitution, must needs be attended by the commission of treason somewhere. Now, sir, this is the only fair interpretation of the preamble. Indeed, sir, the gentleman's name does not appear in it; nor is it found anywhere in connexion with perjury or treason.

Mr. ADAMS again interrupted: The charge is involved in the resolution.

Mr. MARSHALL: God knows in what crimes the gentleman may involve himself before he gets through this matter. He is, however, only charged by me with the presentation of a petition, the nature and consequences of which are set forth in the preamble. Here is the resolution, and the charge against the gentleman:

"Resolved, therefore, That the Hon. JOHN Q. ADAMS, a member from Massachusetts, in presenting, for the consideration of the House of Representatives of the United States, a petition praying the dissolution of the Union, has offered the deepest indignity to the House of which he is a member; an insult to the people of the United States, of which that House is the legislative organ; and will, if this outrage be permitted to pass unrebuked and unpunished, have disgraced his country, through their representatives, in the eyes of the whole world.

"Resolved, further, That the aforesaid JOHN Q. ADAMS, for this insult, the first of the kind ever offered to the government, and for the wound which he has permitted to be aimed, through his instrumentality, at the constitution and existence of his country, the peace, the security, and liberty of the people of these States, might well be held to merit expulsion from the national councils; and the House deem it an act of grace and mercy, when they only inflict upon him their severest censure for conduct so utterly unworthy of his past relations to the state, and his present position. This they hereby do, for the maintenance of their own purity and dignity; for the rest, they turn him over to his own conscience and the indignation of all true American citizens."

But were it otherwise, and were the gentleman really charged, and really guilty of subornation of perjury and high treason, it is in no sense true that this House is usurping the province of a jury. Nor is this a criminal prosecution, within the meaning of the article quoted and relied on by the gentleman. The consequences of the trial here had, and the nature of the judgment to be rendered by this House, are not, on the one hand, an acquittal from the crime, so as to bar indictment and trial before the proper tribunals; nor, on the other, to inflict the legal penalties appointed for the crimes supposed to be charged. This House tries only the offence against itself, and punishes under its own law—the law of parliament. Does the gentleman contend, or will any one believe, that the contempt merges in the felony; or that this House must summon a jury to find the facts, or turn the party over to the courts of law, before they can proceed to inquire into vio-

lations of their own privileges? Should one member maim or slay another on this floor, without excuse or justification, he would be indictable: does it therefore follow that we could neither censure nor expel? And if we could do either, does it not follow that we can inquire into the facts upon which our judgment is to be rendered? And does that inquiry, or that judgment, in the slightest degree encroach upon the party's right to a trial by jury, when the penalties affixed to his offence by the municipal law are to be inflicted? If it were so, a member need only commit a felony, to be exempt from the censure of this House. I deny the gentleman's law as well as his fact. Treason against the United States is not only an offence against the constitution, punishable in the federal courts; but it is a contempt, and the very highest contempt which a member could commit, against this House. The House can punish, and must of course have the right to inquire into the fact, with a view to punishment under the law of parliament; of which they are the judges, and the sole judges; of which courts and juries have no cognizance. The gentleman has sneeringly told me that I never learned my law from my uncle. From whatever source I may have derived it, I must have read utterly in vain, if there be any thing in the article to which the gentleman has referred which can protect him, even if the charges were made, from the parliamentary inquiry; and, secondly, the gentleman must himself, by this time, perceive that neither in the preamble nor resolution is a charge of either kind made against him. There are but two matters involved in the charge against him as subjects of inquiry: 1st. Did he present a petition to dissolve the Union? and, 2d. Does that presentation amount to a contempt? The preamble is simply a description of the petition itself, and a declaration that it does invite the House to perjury. And does it not? Where, forsooth, did the gentleman from Massachusetts learn his law? Not from his father, I am sure. A petition to the Congress of the United States to dissolve the Union, to repeal the constitution by statute, and they sworn to support it! This law would cut a figure in the Supreme Court, when the court itself, the constitution by which its validity must be tested, nay, the legislature which passed it, would, by its operation, be all annihilated. I see no mode of executing such a statute, in the absence of all judicial authority, save by force of arms; and the overthrow of the constitution by force of arms, is high, nay, the highest conceivable treason. If John Marshall or the elder Adams ever thought the Union could be dissolved by act of Congress, I have found no trace of it in their writings; and if I had, I confess my respect for both gentlemen would ave essentially diminished. But more of this hereafter.

[The House decided against Mr. ADAMS. The debate upon the resolutions was resumed. Mr. ADAMS was defended by Mr. UNDERWOOD of Kentucky, Mr. BOTTs of Virginia, and Mr. ARNOLD of Tennessee. Mr. MARSHALL, after great difficulty, obtained the floor on Friday, January 28, the resolutions being offered the Tuesday preceding, and made the following reply to Messrs. ADAMS, BOTTs, UNDERWOOD, and WISE.]

Mr. Speaker: I have risen for the purpose of endeavoring at least to extricate the proposition I have offered to the House from all those matters extraneous, which have been so assiduously attempted to be connected with it, as well by those who are its avowed enemies, as by those who have professed in argument to be its friends. The gentleman from

Massachusetts, and those who have addressed the House in his defence, have pressed on its consideration the situation in which he is placed here, by the charges said to be contained in the resolutions I have had the honor to propose. But it ought to be remembered that there is another trial yet to come, in which I must stand as the accused party, at the bar of public opinion. I have been well aware of the past services, of the weight of character, of the dignity, of the learning, and of the important position of the honorable member from Massachusetts, in this House and before the world. I well know that that gentleman is placed at an almost infinite distance from myself in personal importance and standing before this country, from his age, his past reputation, and the thousand memories that cling around his name. In this contest between the vigor of manhood and the trembling nerves and hoary locks of an advanced, venerable, and honored old age, the chivalrous sentiments and sympathies of this House and of mankind will naturally lean to him. And I am precisely the more anxious, on that account, to place in its true light before the country the course which, notwithstanding all the circumstances which surround it, I have, from motives which I deem adequate, deliberately chosen to pursue. And here, sir, permit me to express my astonishment that, after the debate which occurred here the other day upon the point of order raised by the gentleman from Massachusetts, and which, after full argument, had been decided against him by the House, my colleague (Mr. UNDERWOOD) should have again brought it forward, and in the manner which he did. How is it possible that, with the preamble and resolutions before him, my colleague could have contended that the member from Massachusetts stood here charged by me with subornation of perjury and high treason; or that those resolutions anywhere intimate that the bare *presentation* of a petition to dissolve the Union constitutes either of those crimes. I had, indeed, been a worse lawyer than the gentleman from Massachusetts has been pleased to represent me, could I have been guilty of such absurdity! Before I sit down, I shall take an opportunity to discuss the truth and propriety of the principles contained in the preamble, in which alone it can be pretended that I have involved the gentleman from Massachusetts in the crimes which he alleges I have charged.

I mean not to abuse the patience of the House, by introducing or enlarging upon what is irrelevant to the subject; but, before I come to what is the real question, I must be permitted to take a brief survey of what yesterday fell from my friend from Virginia over the way, (Mr. WISE.) Of all men on this floor—of all men living—I should be the last to let the grounds on which that gentleman has placed the subject go before the country, as containing my views in relation to it. Entertaining toward him—and I say this, not with the view of screening what I now advance from the freest course of animadversion by him or others, but in all seriousness and sincerity)—entertaining toward the gentleman the most perfect respect, and being, moreover, in our private and personal relations and intercourse, not only on the most friendly terms, but holding myself under personal obligations to him for acts of kindness and courtesy extended to me out of this House, whatever I shall say in regard to the gentleman's course here will be, in its bearings, purely political. While, then, I sever myself utterly from that gentleman's political views, and from what I believe to be his political objects, and without expressing any censure upon him for those views—none whatever—the gentleman may be right, or I may be right; the one is perhaps as likely as the other; the country must judge between us—I

mean here only to say, that we are wide apart as the poles, and I fear shall remain so.

[Mr. WISE here explained. He had never meant to advocate Mr. MARSHALL's resolutions: he had spoken on the motion to print; and had risen to explain the reason why he would not vote on Mr. ADAMS's case. The gentleman from Kentucky need not premise his speech by disavowing his willingness to have his proposition to rest on any grounds taken by Mr. W.; for he had not intended that what he said on that occasion should be understood to have any thing to do with it whatever.]

Mr. MARSHALL resumed: I am very glad to hear this disavowal upon the part of the gentleman, and am very thankful that the fact stands as it does; for, had the gentleman indeed intended his speech as friendly to my proposition, I should have been tempted to exclaim with the Spanish proverb, "God deliver me from my friends, and I will take care of my enemies." I have read the report of the gentleman's speech with great attention, (for it was impossible, from the confusion during a part of its delivery, to hear all that he had said,) and I find it will still be necessary for me to take a very cursory review of what the gentleman advanced; in doing which, I shall take the liberty of condensing the speech a little, which, as reported to the public, occupied, in all, some seven columns of the National Intelligencer. Should I, in this process of condensation, reduce the speech of the gentleman to the form of distinct resolutions, they would amount to about these :

1. *Resolved*, That the existence of slavery, as a political institution, is essential to liberty and equality.

2. *Resolved*, That there has been, from the very foundation of this government, an English anti-American party in this country, led and headed by the house of Braintree, changing its name at different periods, but steadily pursuing its object, which is to bring back this country under the dominion of England; and that this is the grand principle of the northern policy.

3. *Resolved*, That this faction was first crushed by Mr. Jefferson; that having afterwards somewhat revived, it was prostrated a second time by General Jackson; but that, still retaining the principle of vitality, and now again appearing with a new name, and the avowal of new objects, it will be extinguished finally, if the whole south will unite and rally under John Tyler against the entire north, supported as they are by England, in this attack upon liberty and equality.

4. *Resolved*, That one of the schemes of this English party to destroy this confederacy, is to establish a tariff, by which English commerce is to be curtailed, a threatening rival raised up in the north, the right arm of England (viz: her manufacturing industry and the power of her machinery) to be palsied, and the northern States to be put np in her room as the great customer, not only of our own country, but of the rest of the world.

And this is the notable plan by which Great Britain is to be conciliated, and, with her consequent aid, this Union is to be dissolved! Now, against the reasoning, at least, raised upon this last statement of fact, I beg leave to enter my dissent.

Mr. Speaker, of all the objects I may have had in view in offering the resolutions under discussion, certainly the very last which could have entered into my imagination would have been to revive here, and at a time like this, the bitter and envenomed animosities of 1801. Those unhappy

enmities grew out of a state of the world, and of the politics of this country, which exist no longer, and which never can exist again. I can of course have no personal remembrance of those days, since the year 1801 happened to be the very year in which I was born, and the troubles of that stormy era had terminated before I was old enough to bear arms or to take any active interest in politics. I hold myself accountable for my own sins only, and not for those of a generation gone by. All these matters are with me matters of history merely; but, for one, come weal come wo to me from the resolutions I have offered, or the opinions I here express, I now enter my most solemn disclaimer and unqualified denial of the proposition that northern men, or that the party termed federalists—whatever might have been their mistakes—ever were, as a party, traitors to their country, or a banded faction conspiring to bring us back to those very chains which they themselves—ay, they were the very men—which they themselves had cut in two; to rend which, they had pledged their lives, their fortunes, and their sacred honor; had girded on their swords, and never had sheathed them till they saw their country in liberty and peace. They might in some things have been mistaken; the system of government which they had constructed, and from whence they derived their party designation, *federalist*, was as yet a sheer experiment. It went into operation under an accumulation of disastrous circumstances in our own internal condition: prostrate credit, ruined commerce, disordered finance, and a heavy public debt;—these were the elements from whence the federal constitution emerged, and with which it had to contend in its first administration. It was precisely coeval, too, with the birth of a revolution in the other hemisphere, which shook, in its earthquake progress, the whole frame of human society to its deepest foundations. They might in some things have been mistaken; but on the leading points of domestic policy especially, the whig party are the very last persons in this world who ought to charge those men with having been political traitors. Friends of England, to the injury or dishonor of their own country, they never were. In the then existing state of the world, when the balance of power in Europe was utterly overthrown—when one vast military dynasty had risen over the subjected and affrighted kingdoms around—when one gigantic and commanding mind was wielding the entire military force of the continent, and with as much ease as though it were a willow wand—those men believed, devoutly and sincerely believed, that the safety and independence of our young republic were involved in the issue of the fierce struggle going on in Europe. With the example of Switzerland and Holland before their eyes, they shrank from the imperial embrace of France. They maintained that it was not the true policy of the United States to abandon her neutral position, and aid in the destruction of that power whose navy at that time formed the only counterpoise to the colossal strength of Napoleon,—the only bar to the establishment of a universal despotism in Europe, in comparison with which that of the Cæsars shrinks into insignificance. This had been their honest belief. Their policy was condemned; and the question has long been settled in the public judgment. The war which ensued was popular; it raised our national character; it served to develop the real arm of our national defence; and in its glorious termination were realized none of the fears of the federal party. The success of the war accomplished their fall. The overthrow of the French empire, and the restoration of the political equilibrium in Europe, and the return of universal peace, were events which they most ear-

nestly desired. The reverse was what they feared and deprecated. Had Russia and England fallen under the blow, and their resources, naval and military, passed into the hands of the greatest genius and the most daring and ambitious soldier the world had yet seen, the result to our infant institutions is matter of conjecture, thank God, and not of history. The result of the war, although precisely what they desired, accomplished their fall, and stamped the seal of popular odium upon the name of that man whom the democratic party and their great leader dreaded more than all the world. The interpretation and defence of the constitution under which we now live, as embodied in the Federalist, were mainly the production of his mind, and still form the text-book for American statesmen, lawyers, and judges. The measures recommended and the principles maintained by him in relation to the foreign and domestic policy of the government he had so significantly aided to establish—the assumption and funding of the revolutionary debt of the States; the full and faithful payment of the public securities; the administration of the national finances, and the supply of a national currency and commercial medium for the people, combining the solid credit of the metals, with the lightness, facility of transmission, and cheapness of paper, through the agency of a Bank of the United States; a strict neutrality, and the encouragement of a navy, with a view to its maintenance and the protection of our commerce; the fostering care of American manufactures; and, above all, the indissoluble union of these States under a common government, having complete, national, and paramount authority over all, touching those things which are common to all:—these are among the opinions he has left recorded in his immortal works; and there is abundant evidence that they were formed in the school and ratified by the judgment of that *slaveholder* whose sacred dust now reposes within a few miles from this spot, in the soil of his native Virginia, and on the banks of his own once loved Potomac. Against the hated head of this great statesman and illustrious man were hurled the whole thunders of a victorious and triumphant party; nor did they cease till the hand of one, now branded in his country's history as a traitor, in an evil hour had laid him low. Whatever may have been his errors, it would be hard to convince me that one who had entered the family of George Washington at the age of nineteen—who had served with him for seven years, through all the soul-trying scenes of the Revolution—who enjoyed his entire confidence then, and continued so to enjoy it, that afterwards, when the leader of the Revolution became the civil head of the republic he had founded, this same traitor was called by him to preside over that department, the most embarrassed, the most difficult, the most responsible; and his genius was invoked and his judgment trusted to devise the means of establishing credit, creating revenue, and reforming the most debased currency ever employed in the transactions of mankind; and well did the first Secretary of the Treasury vindicate the opinion his old leader had formed of him. And, sir, when George Washington, after his retirement from civil office, was again, and I believe in the last year of his life, called on by his country to head her armies in a war then expected with France, he stipulated, as the condition of his acceptance, the right to name his officers; and he appointed this same traitor-federalist, Alexander Hamilton, his second in command;—I repeat it: it would be most difficult to convince me, with all my confidence in the sagacity, judgment, acute discrimination of character, and untarnished honor of George Washington, that there was treason in the heart of one whom he

reared, loved, and trusted throughout his glorious life. If admiration of this man's genius, sorrow for his faults, and pity and regret for his untimely fate, be federalism—I stand convicted.

That I may pursue the views of the gentleman from Virginia a little farther, I must here also declare, most explicitly, that these resolutions were not offered with the most remote intention or desire of rallying the southern portion of this House, as a party, under any lead, or any administration, present or prospective. Entirely the reverse; such a design, indeed, would be as fatal to their passage, as it is foreign to their tone and character, and subversive of their object. There is—at least, I trust there is—nothing sectional about them. There is incorporated with them no dogma of any particular school of politicians. They are guarded, carefully and purposely guarded, from all connexion with the questions of agitation and strife, which so unhappily divide, and so readily inflame, the sectional parties on this floor. They were brought forward as purely American in their character, as a test of how much American feeling exists in this body, and as affording to all who are actuated by it an opportunity of subscribing here to what I conceive to be the indisputable principle of our social fabric. Whatever may be their fate, I fondly hope that agitators, whether from the north or south, may not be able to drag the question down to a fierce party or personal quarrel, which is to be decided by geographical lines, without reference to the principle, and the only principle, involved in the resolutions themselves.

Having said thus much as to what may be considered in some sort foreign to the subject immediately before the House, I proceed now to the matter in hand. And first, sir, as to the nature of the defence here set up. The House has had four speeches addressed to it in behalf of the gentleman from Massachusetts, some of which were most able and interesting. After a touching description of the venerable age, the long and important services, the weight of character, the talent, the influence and power of the gentleman from Massachusetts, and comments on the severity of the censure proposed to be inflicted, it was argued that his real object had been to obtain an opportunity of replying to the petitioners; of producing a State paper, the effect of which should be to stay these incendiary measures of discontent; and with all the power of his eloquent pen, and all the vast resources of his mighty mind, to repress, by the force of unanswerable argument, the wild projects and headstrong purposes of those who desire to strike at the Union; that the true design of the whole movement has been a triumphant defence and vindication of the American Union, and such a reproof to those who have asked its destruction, as will forever seal their lips in silence; the production of an argument which will satisfy all the world, rectify the sentiments, and put down, at once and forever, the designs and purposes which have given birth to the memorial. This has, in substance, been the defence set up, not by the gentleman from Massachusetts, but by the most eloquent of his champions, (Mr. Botts.) Now, if this defence had been urged before this House by the accused himself,—if he had so much as breathed such a wish as has been ascribed to him by his zealous and able advocate from Virginia—though by no means convinced that even his native could justify the deed, or that this House should receive and tolerate such propositions, for any purpose or on any considerations, I might possibly have been tempted to withdraw the resolutions. But, sir, I cannot consent to overlook the defence set up by the gentleman himself, and b,

thus turned over to what has been advanced for him by others, upon their own authority.

What has the gentleman said? As to what he may have uttered in the irritation of the moment, against myself personally, it has gone by; my understanding and temper are fixed upon things so much higher than aught which concerns me individually, that matters of this sort make but slight impression upon either. Although the gentleman from Massachusetts has pronounced me not possessed of mind enough to judge of the meaning of the constitution, or to comprehend the definition of treason, (and the judgment of the gentleman on such subjects is held by this House as entitled to great weight;) and although he has taunted me with being a member of the temperance society, and kindly and humanely ventured the hope that I would persevere in the pledge, coupled with the suggestion that, in three years, I might so far recover the understanding which God had conferred, as to be fit to enter a law school; and although the gentleman has further said that I have admitted to him in private conversation that his complaints of oppression under a refusal to receive petitions of this sort were just; still, sir,—

[Mr. ADAMS here interposed; and the floor being yielded for explanation, corrected the statement of Mr. MARSHALL, by observing that what he had said was, that the gentleman from Kentucky had admitted to him, in private conversation, that he was a friend to the right of petition, and believed abolition petitions ought to be received.]

Mr. MARSHALL resumed: I am happy in being corrected. But, sir, I have said nothing to the gentleman in private, touching the reception of abolition petitions, or the repeal of the twenty-first rule, which I have not said in argument upon this floor. It is true, and the House know it to be so, that I have taken the ground that the twenty-first rule should be repealed, and the abolition memorials received and referred to a committee composed exclusively of northern men, with the gentleman himself at their head; not as matter of right—never; but for the purpose of quieting this eternal agitation of the subject by the gentleman himself, by extracting a report from northern statesmen, which should inform the House and the south whether they meant to sustain here the views, objects, and opinions of these fanatical incendiaries. But to proceed. If the gentleman thinks, by these irritating taunts, which no man better understands than himself, to sting me from my propriety in this hall, or to provoke me into unseemly and passionate retort, he little understands the character of the man with whom he has to do, intemperate as he may take him to be. He may in future, therefore, spare himself the shame of indecorums unworthy of himself, if not unjust to me.

Mr. Speaker, the petition which has given rise to this proceeding is now on the table of the House. It prays the national legislature to take the preliminary steps to a dissolution of this Union. What is the defence which the gentleman has offered in bar of the censure for presenting such a document here? Two points have been made by the gentleman in his reply to my remarks upon introducing the resolutions. First, the gentleman insisted upon the right of the petitioners to do this thing. They have a natural right to dissolve this government, and to sever the union of these States, whenever that union shall, in their opinion, be injurious or inconvenient to themselves. And here he fortifies himself by the declaration of American independence, in which the right of the people to alter or abolish

their form of government is enumerated among the self-evident truths in politics, and as one of the original and indestructible rights of mankind. And, in the second place, that this right is nugatory, and of no value, unless they can petition Congress to effect such dissolution. What does this argument prove? That the American Government cannot be abolished by the gentleman's constituents, without their asking Congress to do it. This is the body which must destroy the Union, if it is to be destroyed at all. So much as to the matter of right.

And then the gentleman, as the next step of his argument in defence, went on to enumerate the grievances which lead these people to desire a dissolution of the Union; and the grievances are many and terrible. I will go over a few of the heads of complaint, by way of contrast to the statement made by the gentleman from Virginia, (Mr. BORTS,) as to the object and motive of the gentleman in bringing that petition into this House. The gentleman from Massachusetts has stated upon this floor that the portion of the Union from whence I come are trying, with all the influence they can exert, to effect a repeal of the habeas corpus, and the right of trial by jury; that they are industriously endeavoring to extend the institution of slavery over the free States; that they seek to involve this country in a war with Great Britain, with a view to restore the African slave-trade, and to fix it upon these States forever; and that the project of the Secretary of the Navy for the establishment of a home squadron had for its real object, not the defence of the country, but was designed as a convoy for the slave-trade. And then, sir, after enumerating all these different grounds of grievance, the gentleman has warned the House that he will go home to his people, and say to them that it is time to take the alarm; that he will give them the alarm; and that he has introduced this petition for the very purpose of exciting alarm.

[Mr. ADAMS denied this, and declared that what he had said was, that he had presented the petition because he considered it his duty.]

Mr. MARSHALL. I appeal to the report of the gentleman's speech in the National Intelligencer, given by one of the regular reporters of that establishment in this House. Mr. M. then read from the report:

"And when he (Mr. A.) came to that in the defence which he should make, if called on, he should consider other matters of oppression, not only actual but intended. He would come and state before this House how that portion of the country whence that gentleman came was endeavoring to destroy the right of habeas corpus and the trial by jury, and all the rights in which the liberties of this country consist.

"He would show how, in that portion of the country, there was a systematic attempt even to carry it to the dissolution of the Union, now carrying on between different States. He would look into the controversy between Virginia and New York, between Georgia and New York, and between Georgia and Maine, in order to prove the continual system and purpose to destroy all the principles of civil liberty among the free States; and by power to force the detested principles of slavery on the free States of this Union. He would show it by documents and by reference to arguments which had been used, in such a manner that every man in this House should be convinced of the truth of it. He had seen, and he was now seeing, that among those measures so constantly and so perseveringly pursued, was the project of smuggling this country into a war with Great Britain, for the purpose of protecting the slave-trade, African and American. He had seen that that was the deliberate purpose. And one of his reasons for presenting this petition was to give the alarm to the people of that portion of the country whence he came. It was time for them to take the alarm, or they would find themselves smuggled into a war for the protection of the slave trade; and that the most absurd and false principles of the laws of nations had been asserted by our minister in England, all for the purpose of smuggling this country into a war with that government, under pretence of defence against her aggressions. He would show all this in the utmost detail, if he was called on to defend himself against this charge."

Thus, sir, the gentleman's language has gone forth to the world. And after he stated these heads of grievances, he pledged himself that, if the

House forced him to answer the charge I had made, he would show the truth of all this.

[Mr. ADAMS. And I will show it.]

Mr. MARSHALL. I mean not to discuss their truth with the gentleman. Neither shall I discuss here, and now, the right of Great Britain to search American vessels on the coast of Africa, or elsewhere, under the pretence of suppressing the slave-trade; for engaging in which, even were the fact so, our ships and citizens are only amenable to the laws and jurisdiction of their own country.

[Mr. ADAMS. You had better not.]

Mr. MARSHALL. Neither shall I discuss the necessity or propriety of the home squadron, for the defence of our exposed coast against the strongest maritime power in the world, with whom we have many delicate and unsettled questions involving our territorial rights; or enter upon the question whether such defensive measures are a grievance to the north. I have adverted to this list of grievances merely to show what ground has been actually taken by the gentleman himself, in his defence. He has undertaken to make out a case of such grievous oppression and tyranny exercised by this government upon him and his, that, if aught can justify an outraged people in going into a revolution, and bursting the bands of society, this is the very case; and the gentleman insists that he has done it. And, sir, he contends that the action of Congress in preparing for a dissolution of the Union is the only means by which the sacred and eternal right of his constituents to abolish an oppressive and tyrannical government can be carried into effect. The gentleman has avowed that he has brought this petition forward in order to give those constituents the alarm, and to afford them needed information and proof in the documents and arguments he means to adduce in the progress of his defence. Still, however, the gentleman says that he has guarded himself in his proposition for a reference; and that he would not, if permitted to report on the subject, advise an instant dissolution of the Union. No; not yet, not yet; but the time is coming—is approaching.

Now, let any gentleman compare all this with the ground of defence taken in behalf of the gentleman from Massachusetts by his friend from Virginia, (Mr. BOTTTS,) and where will the gentleman stand? The gentleman only wished an opportunity to prepare a report which should allay agitation, and quiet the minds of his constituents! Oh, yes; and a precious foretaste the House has enjoyed of the nature of that document, which the chairman of the Committee of Foreign Relations may be expected to send forth to the world, should his own instructions to the committee be adopted. This is allaying agitation, with a vengeance! This is soothing irritation; this is a healing persuasive to convince men that the Union of these States must be maintained! The gentleman from Virginia longed that the opportunity should be given to the gentleman from Massachusetts, that he might, by his eloquent pen, by the force of his luminous understanding, and the whole weight of his personal influence, put down forever the unhappy spirit of northern discontent, and make his constituents ashamed that they had ever harbored a thought of so dire a sacrilege as the dissolution of this Union! What! trust this task of an angel of peace to the man who openly avows that he has introduced the memorial for the purpose of bringing forward, in its discussion, fresh subjects of alarm! Assign this duty of healing, to the man who fortifies the right to abolish the constitution through the

agency of Congress, by an appeal to the Declaration of Independence; and who stimulates men to the exercise of this right, by presenting an accumulation of grievances such as never had been endured on earth before, and for which, in the judgment of these men, there is no remedy, other than the total destruction of our system of government! And an American House of Representatives, themselves the embodied image of this great nation, are to leave to hands like these the task of soothing the irritations and quieting the alarms of a discontented people!

I confess that I heard the gentleman from Virginia (Mr. BOTTS) with astonishment; but if I wondered at the ground taken by that gentleman, how was it increased when I listened to the gentleman's (Mr. ADAMS'S) own immediate friend. A gentleman from Massachusetts (Mr. SALTONSTALL) has appealed not only to the age and past services, but to the blood, and lineage, and remote ancestors of his friend. He has dwelt on his talents, his learning, his high standing, his influence, his weight of character, and, above all, his indomitable, persevering courage. The gentleman has advised the House not to take him in hand, for he was a descendant of one of that stubborn crew who, beginning with a petition of right, had gone forward with untiring and undeviating footsteps, till they had ended in overturning the English monarchy, and bringing the head of Charles Stuart to the block;—men who had cast themselves on the bosom of the wild ocean, and had sought a home upon the bleak and desolate shores of an unknown wilderness, rather than yield an inch of what they deemed their rights at home;—who had warred, and warred, and warred to the death, without one thought of submission. Finding in this House a descendant of one of those sturdy commons of England, who were pilgrims or regicides as their fortunes fluctuated, but who yielded never—a man whose imagination seems thoroughly possessed with the idea that he and his associates are as grievously and intolerably oppressed on this side the Atlantic as his ancestors had been on their native shores, and who, remembering that the race from whom he springs had prostrated the British throne, seems equally confident that he can upheave the foundations of the American republic;—upon such a one it is vain to think of laying the hand of authority. It would seem that duty and policy alike require that we should fold our arms and let him run. And why? Because, by attempting to control him, we shall only provoke his people the more; and they will but come upon us the more fiercely, should they see a finger laid, however lightly, upon their indomitable leader. For one, so help me Heaven, it is an argument to which I will never yield. If, standing as I do under my oath to the constitution and my obligation to the American people, I could be brought to legislate under terror, these are the circumstances—these the very considerations—which should induce me to vote for a deeper and sorcer punishment than that now proposed.

The gentleman from Massachusetts told me that I was not able to comprehend the rights of the citizen; that I knew nothing of the constitution of my own country, or of the liberties and franchises which that instrument was designed to protect; and that the resolutions I have offered here indicate such ignorance.

I listened, too, to what my colleague (Mr. UNDERWOOD) said about the charge of treason which these resolutions involved. Will the House bear with me while I read once more the passage with which it was my desire to preface the resolutions I have offered? [Here Mr. MARSHALL again read the preamble.]

Now, sir, can it be necessary again to reiterate that neither the drawing nor presentation of the petition, nor the enacting of the statute prayed for, is charged as treason; but that its execution and consequences, in the destruction of the country, the government, the body politic of the United States, necessarily involve treason. Human language, as it seems to me, cannot be more explicit.

[Mr. ADAMS. You beg the question.]

Mr. MARSHALL. I beg nothing of you, sir; nothing. But I am told that I must correct the position here taken, because the memorial asks for a peaceable dissolution of the Union. A peaceable dissolution of the Union? It cannot be. Before the bonds are broken, war must be made. It will be made for the Union on one side, and against it on the other; and making war on the United States, by any portion of the same, is treason in all concerned.

A peaceable dissolution! How will you go about it? The petition implies, and the gentleman maintains, that it can be done only by Congress. I put it, then, to my colleagues to say if we have it in our power to do any such thing. I lay it down as a philosophical and political truth, that a Union like ours never can be dissolved, save by universal assent, or by force of arms. I lay it down, that the government of this country is a government essentially, and that the United States is a body politic. I, as a citizen, am a component part and member of that body; I am a party to this government. My relations and my allegiance are direct and immediate. It operates upon me, not through any other sovereign interposed, to whom alone I am responsible, and who represents me, as in the case of a league or treaty; but directly, by its own laws and officers. The United States is my country; and her constitution, and my share of protection under it, constitute my birthright. It is seldom worth while to discuss an abstract proposition; but when you come to the right to dissolve this Union as the basis of legislative action, it is abstract no longer; it becomes fearfully and momentously practical. The gentleman cannot find it in the constitution or laws. He traces it to the declaration of American independence, itself a revolutionary paper, sustained by the pledge of blood, and carried out by the sword. That was no peaceable dissolution, at least. And the right claimed then for the people does not sustain the gentleman nor the petitioners in their application to those who are the sworn servants of the people, under an authority which none but their masters can abolish. But, sir, does the gentleman contend that a simple majority of the people can of right peaceably abolish the constitution of the United States, against the will of the minority? I say of the people, far less of the Congress. I speak not now of revolution by physical force, but of peaceable dissolution of the social Union by a majority of its members, against the voice of the minority, as matter of right, either natural or acquired under our constitution. It is plain that no such right is recognised by grant, reservation, or implication, in the constitution itself. It must then be inferred by right reason from the nature of things. Whence do a majority of men derive the right to control by law the will and the action of a minority? From positive agreement, certainly. The right is conventional, not natural. Ten men are thrown together, between whom there subsists no previous agreement, who will say that the will of six can control the remaining four. In such a state of things, each man is master of his own actions, and independent of the other nine. The rightful power of a majority is the result of contract in every instance;—a contract in which the minority have originally agreed to

be so governed. The right to make such a contract is a natural right, and, when once entered into, is binding upon all. Such contract and consent are laid down by the Declaration of Independence as the only just foundation of government. In all true theory, then, political constitutions repose upon the original contract to which each individual upon whom they operate, and whom they can bind, is a party. This agreement, according to the reasoning of our own *declaration*, must be presumed, or the principles of that declaration cannot be sustained; and, in point of fact, it is in every instance made either expressly or by tacit consent. The foreigner who wishes to bind himself to our constitution, to take upon him its obligations, and to entitle himself to its protection, makes his declaration and swears his allegiance. He thus becomes individually a party to the government, and by the most solemn of all contracts. But as men, in the absence of agreement, are entirely independent of each other, so are they competent and strongly impelled by the laws and necessities of their common nature to form agreements. When formed, they are binding upon all who are parties, according to their terms, and cannot be cancelled but by the consent of all, or by force. Government, then, the highest of all contracts, by means of which all others are enforced, partakes still of the nature of all others. Founded in agreement, it binds men together in one body, or community, or society; and cannot be dissolved without the same authority by which it was formed—to wit, the consent of all the members, or by some original stipulation in the constitution or contract, or by force. There is no stipulation in our national contract by which a part of the people, be it great or small, can throw the residue out of their social union, and from under the protection of the national laws and the national strength. There remain but the other two modes. What prospect is there that a government including seventeen millions of people is to be dissolved by universal assent? You may sever the Union. God in his infinite mercy forbend that you ever should; but you will never do it, save by force. Never, never.

I have said that the execution of an act of Congress providing for such an event does involve treason, because it could only be executed by force of arms; and that this very passage of the act does involve perjury, because we have sworn to support the constitution. Suppose we do so much violence to our imaginations as to conceive that such an act has been passed: how will it work? It will go to Kentucky, and it will tell the people of that State that there is no United States—no American constitution; that there is no Federal government and no State governments; that society is resolved into its original elements; that the people, the sovereign people, are a people no longer, but a mere disconnected multitude, dependent upon accident or force for any form of polity into which they may afterwards be thrown.—I say there would be no State government; because, if the federal constitution be overthrown, there would remain no government armed with the attributes of sovereignty. The State governments cannot make war, enter into alliances, own a navy, coin money, lay duties, or collect revenue from commerce; and therefore I say the dissolution of the Union is, for the time, the dissolution of society. The State governments must be recast and invested with new power, before there would be any political organization in America at all competent to achieve the ends of society. And will any gentleman tell me that, in a juncture like this, under an attempt to cast to the winds all civil and social ties, that I, who have sworn again and again to support the federal constitution, will have no right to draw the

sword in its defence? Dissolve the Union! Yes, throw Kentucky back upon herself, buried in the interior, a dependent and tributary province of some new empire established on the Atlantic coast; levy taxes on her consumption to fill the treasuries of New York, or Virginia, or South Carolina; taxes imposed by legislatures in which she is not represented, if we are to be broken into as many independent communities as there are States. Or rend the empire in twain, and convert her, from the centre of the American Union, into the frontier State of a slave confederacy—the very Belgium on which the battles of abolitionism are to be fought. Heavens! that a scheme so fraught with ruin, so pregnant with unutterable horrors to mankind, should become familiar to the minds of Christian men! But think you, sir, that this could be effected without force? That it is all to be done under the mild, the bland, the pacific, the amiable reasoning of the most sage and learned member from Massachusetts? When has a government, however bad, been overthrown, without finding some to fight in its defence—some brave spirits, who, if from no motive but a selfish interest in its abuses, have still drawn the sword, and died for what had at least protected them? When has a free people been denationalized, without convulsions, war, and bloodshed? And think you that a constitution, the freest in its spirit, the most magnificent in its conception, the most fortunate in its origin, the most felicitous in its execution and its results, binding together the greatest extent of territory and the largest mass of interest ever yet found united upon earth on principles of freedom,—think you, sir, that it is destined to fall without a struggle? Come that day when it will, it must be bloody. It would be so at any time, and under any circumstances; but at a period like this, and under a state of society like ours, with a people of such characteristics and such means, the convulsion under the motives now at work must be followed by horrors for which history has no parallel. Sir, if we cannot live in peace while we are united by all manner of ties, obligations, oaths, and interests, most assuredly we never shall when all these ties are broken, State sundered from State, and all left to the fierce collisions engendered by mutual rivalry, jealousy, and selfishness—the theatre of foreign intrigue, and the prey of foreign ambition.

Mr. Speaker, when I wander from the subject, I wander in pursuit of the gentleman from Massachusetts, who has led the way. That gentleman objects to his triers. He tells us that gentlemen from the south are not competent to try him on the charge of bringing forward a proposition to dissolve this Union. The south may well thank the gentleman from Massachusetts. It is a glorious compliment he has paid her; and this testimony alone, coming from such high authority, ought to be sufficient, in itself, to wipe from her escutcheon any shade of past restlessness or rashness that may bedim its brightness. The day of those errors has now gone by; and the gentleman from Massachusetts himself being judge, the men of the south in this hall are so deeply, so irrevocably attached to this Union, that they are not fit to try a man on the charge of bringing forward a proposal to dissolve it. According to the gentleman, northern men are fit; they can judge, having no such bias in their way. Will northern gentlemen here acquiesce in that statement? Will they answer their colleague's appeals? Will they endorse this petition, and the reasoning by which it is sustained? When the question comes, Is such a course worthy of censure? will northern statesmen here declare, upon their oaths and their honor as American legislators, that it is not censurable? Are they prepared to tell the Ameri-

can people that the people of Massachusetts have a right to dissolve this Government? That to attempt it through her Representatives in Congress, is justifiable; and that they are ready to connive, at least, at the movement. Oh, sir, if they do, how a few years must have changed them! how must Massachusetts herself have changed since the memorable era of 1798, when the south spoke of obstructing or nullifying, not the constitution, but acts of Congress. Do gentlemen recollect the short and pithy answer given by her to the Virginia resolutions, an answer which extorted, by its dagger-like pungency, the famous report of James Madison? On all the great points of our glorious constitution, she was then sound as granite. How has she changed! When the question to be decided shall be, Has a portion of the people of the United States a right to abolish the constitution of the United States; and is Congress a necessary organ to effect that purpose, so that without its action the right is nugatory; will Massachusetts be found voting *ay*, while the south votes *no*? Ah! but there is a cause adequate to the phenomenon, here to be explained. It is the detestation of the south to abolitionism that makes her a Unionist, and renders her unfit to try the gentleman. He insists on the connexion between the questions. And has the love of the north for abolition brought her in favor of dissolution? Has she vowed that slavery shall cease; and does she resort to dissolution as the mean to effect it? Frightful, indeed, are the omens with which we are surrounded. My colleague over the way (Mr. UNDERWOOD) declares that, if the Union is dissolved, slavery will be abolished. So far, he and the gentleman from Massachusetts perfectly agree. All know, or may know, who can read, that the institution of slavery is guarantied by the constitution, and placed exclusively under the control of the States. And all who know the facts of the case, know that the people of the south are falsely charged when they are accused of attempting to introduce slavery into the free States; although the power to do this, follows necessarily the power to touch the subject by the general government. If slaves come within the power of Congress to regulate commerce^{*} between the States, then the States cannot obstruct their free circulation as property throughout the Union; and as long as slavery exists at all, it must be universal. But if the governments of New York and Pennsylvania can abolish, then surely the governments of Virginia and South Carolina can retain it. If the argument from the commercial power (which I have seen urged by pretty high authority about Boston) be sound, then the Kentuckian has as much right to sell, and the Pennsylvanian to buy his slave, as his beef in the Philadelphia market. But it is ridiculous to reason the point. No man doubts that slavery is guarded by the present constitution from federal interference. And it was wisely and rightly guarded. Without it, the States could not and ought not to have united. Slavery being peculiar, and confined to a portion of the confederacy, could never, upon the original principles of the social union, be subject to the action of a legislature, a large part of which has nothing of community in the subject-matter. Massachusetts does not doubt it. I do not understand the gentleman himself (Mr. ADAMS) to doubt it, except in the case of insurrection. Do they, therefore, (the gentleman and his State,) stumble upon dissolution in quest of abolition? And does my colleague, agreeing with them that such dissolution is the surest means of abolishing slavery, therefore vote that a presentation here of a petition from that quarter to dissolve, is not censurable? Mr. Speaker, I do in my so u believe that if the gentleman from Massachusetts himself, instead of loo k

ing into books, could travel among us, and look at facts as they exist,—if he would see with his own eyes, instead of his learning,—he would at once be induced to depart from his plan.

[Mr. ADAMS. They would lynch me.]

Mr. MARSHALL. If you endeavored to kindle the flame there which you do here, I must admit that, in all probability, they would.

[Mr. ADAMS. You are doing them that service now, as much as you can.]

Mr. MARSHALL resumed. It is the gentleman's privilege to interrupt and to insult every man on this floor ; it is his privilege, and I accord it to him freely. But slavery, it seems, is to be abolished, if the Union is dissolved. Abolish slavery!—and how? Why, according to my colleague, it is to be done by all the negroes running away to Ohio, and through Ohio into Canada. Well, sir, this may do very well for Kentucky; but how is it to work in South Carolina and Georgia? Are they to come into Ohio too, and make a regular march into Canada? And is no hand to be lifted to prevent or interrupt this grand migration—this modern exodus of two millions of people—a migration equal to that of the Goths and Vandals upon the Roman empire? The blacks are to come forth as the Israelites did out of Egypt. I wonder who is to be their Moses? Is it the venerable gentleman from Massachusetts? A magnificent conception this, truly! Abolish slavery!—and how? Never in that way.

But the gentleman from Massachusetts does not look to this mode of doing the thing ; he is not quite so monomaniac as that. He is not so little read in the past history of the world, or so unacquainted with the practical affairs of mankind, or so unable to look into the causes and springs of national revolutions, as to believe a fond tale like this. How, then, is it to be done? The constitution—the American constitution—that sacred bond of liberty and peace, whose potent arm, eternal voice, and covering shield have hitherto been our safety and our pride—the constitu-

tion, which all the oaths of the north to support it, must first be broken down. And then—ay, then—the descendants of the puritan and the regicide, who were driven from England by the persecutions and oppressions of the English nobility ; and of the cavalier, expelled by the equally relentless persecutions of the puritan, after both had united on this side the water against a government which had alternately oppressed them both, buried their differences, and, with their common hands, constructed a new government, united, strengthened, cemented by the shedding of their common blood, are once more to be driven asunder ; and a more fearful strife than that which convulsed Europe two hundred years ago, is to affront the sun, and pollute the blessed light of heaven, on the soil of these once free and happy States. The fierce and vengeful fanatic, true to the principles of his fathers, and the sworn champion of universal emancipation, holding in one hand his proclamation of freedom and alliance to the slave, and a firebrand in the other—elated, too, with the consciousness of numerical superiority—is to invade the south, and avenge the wrongs of Africa, in massacre and conflagration. He will be met. The haughty slaveholder will greet the new crusader with bloodiest welcome. The cavalier's sword will leap from its scabbard, in vindication of a broken covenant, a violated national compact, to which he had vainly trusted as a shield to his property and his rights. Surrounded by his household gods, in defence of his hearth-

stone, the honor of his wife, the purity of his daughter, *pro aris et focis*, he will incarnadine his weapon to the hilt.

"To patriot vengeance ne'er hath sword
More terrible libations poured."

And should he fall, "outnumbered, not outbraved," it will be amid the ashes of all he holds dear—his home, his family, his country, and his race. Glorious consummation! worthy only of the philanthropic genius and all-grasping benevolence of the gentleman from Massachusetts, to rear a black republic, a sister and ally for that of Hayti, upon the ruins of the social fabric, constructed by Europe's best and purest chivalry.

Sir, there is in that region a state of society which the gentleman and his allies cannot alter, without involving consequences more horrible than he can now conceive. The gentleman will have gone far when he obtains the preparatory legislative act; but that which must follow will give him, in more terrible fruition, the almost boundless consequences of the crime which his petitioners meditate. That for which they ask involves the utter destruction, the obliteration of that race to which he should be allied by color, by a common blood, by education, by association, by descent, by friendship, by a near and blessed alliance, by a common glory, by every indissoluble ligament that can bind a human heart; or the as certain destruction of that very race towards whose liberation all his efforts are given, and in consummating whose deliverance he hopes to close a long and illustrious life in a blaze of glory, which is to rival the pure eternal light which encircles and haloes the name of Wilberforce. If that be his hope, it can never be fulfilled. There is no parallel between the cases. There is nothing in the enterprise of Wilberforce, the manner in which it was conducted, or the consequences which were to follow it, which can for a moment be likened to that achievement which seems to be the object of the gentleman's ambition. But, sir, I quit this branch of the subject.

Mr. Speaker, the gentleman from Massachusetts told me the other day that it did not become me to complain of him for presenting this petition, inasmuch as the Senator from Kentucky, (Mr. CLAY,) who is my immediate constituent, as well as the representative of my State, was now urging a proposition which, in effect, amounts to a dissolution of the Union. Sir, it is vain to liken a proposition to dissolve the Union, which involves the destruction of the government and the termination of the republic, to a proposition to amend the constitution, such as is now under consideration in the other end of the Capitol. That proposition seeks to preserve the instrument, and does not touch the unity of our government; if adopted finally, it leaves the American people entire. It suggests, indeed, a modification of the national charter—a specific modification, and in one particular. The suggestion is a legitimate subject of legislative action, authorized by the instrument it seeks to amend. In the distribution of the powers of government, you may give more, or give less, to the legislative or to the executive department, and still the Union will remain; the bonds which hold us together as one people will be unbroken. There will still be such a thing as the United States. There will be such a thing as the people of the United States, and there will remain a constitution of the United States. That instrument itself has pointed out the only peaceful and legitimate mode of its own amendment; and that is the mode in which the Senator from Kentucky proposes to effect his object. That proposition is said to

be a whig measure,—at least it was put forward in what has been termed the “whig manifesto” at the close of the extra session. If what the gentleman (who, I understand, claims to be a whig) says is true, whiggery must have wonderfully changed its physiognomy since the days when this illustrious gentleman was President of the United States, and the distinguished Senator, who is urging that measure, was his Secretary of State. I am, myself, a whig. I am not a very old man ; yet, if this be true, I have lived longer than I expected—long enough to see one of these two eminent individuals introduce a proposition to dissolve the Union at one end of the Capitol, and the other at the other end. “Tell it not in Gath, publish it not in the streets of Askalon,” that these two great political leaders, combined once more, are now in consultation to overthrow the constitution of their common country. And I suppose that all good whigs are bound by party allegiance to track full and fair in the path of these patriarchs of our tribe.

The voting in favor of a censure upon the man who has had the hardihood to bring before this august body, for the first time, a proposition such as that upon your table, is—at least it has been so hinted by the gentleman from Massachusetts—so far as northern votes are concerned, to be confined to the democracy. And he sneered at the thought. For whom the sneer was intended, or whom it may best fit, it may be difficult to determine. And has it come indeed to this—that when the question of dissolution shall come up, the democracy alone will be found base enough to desert their northern brethren, to brave with bold defiance the influence and the threats of fanatics and incendiaries, and stand videts in the front of the outworks of that good old constitution which their fathers helped to frame, and under which they have lived and enjoyed so much social happiness and prosperity ? Am I indeed to understand that it is a part of the whig policy to sustain the gentleman from Massachusetts in his course upon this subject, and to back him in the defence upon which he has chosen to throw himself? Now, I have been, and am, politically opposed to the democratic party ; but not quite so much opposed as that they can drive me, from a spirit of opposition, into doing wrong, because they have chosen to do right. I was opposed to many, almost all, of the measures of the man who was once their great leader ; but when he swore that the Union must and should be preserved, my heart swelled high under the sentiment, and, had all his public acts conformed to this, I might have been his man too. Strange indeed is the argument, and strange the positions we have seen taken on this occasion ; and well and truly may it be said, we are fallen on evil times.

What a singular spectacle is exhibited by this House at this moment ! Instead of exerting the legislative powers conferred upon us, and making the necessary provision for the public service, an exhausted treasury, and a suffering people, we have been disputing of abolition petitions, till at last those disputes are merged in a question of dissolving the Union. But who is to blame ? The gentleman from Massachusetts taunts me with having voted for the repeal of the twenty-first rule, and then against the reception of the petitions he has offered here. I did indeed vote for the repeal of the twenty-first rule ; but it was not repealed, it remains in force, and I refused to aid the gentleman in getting surreptitiously into the House petitions forbidden by one of its standing rules. I should still be in favor of the repeal of the twenty-first rule ; though, upon the subject of referring these petitions to him, I may have changed, since I have seen what is, as I sincerely believe, his real object. After he has avowed himself an alarmist, and described

the operations and designs of this government against the liberties of his constituents, as he has, I cannot consent to trust him with any thing in which its existence is involved ; nor shall I act inconsistently.

The gentleman has charged me individually, and particularly, with being an enemy to the north, and with a settled purpose to oppress her. So far is this from being true, that I am ready to do all that a man in my condition can do, to remove all causes of discontent ; and, in addition to their political connexion, which I will never see broken without resistance, to bind together the north and the south by the strongest ties of a mutual commercial interest. I would to-morrow, if I could, render this American continent of ours wholly independent of other countries, for the supply of every thing which her own rich and varied soil, and equally diversified population and industry, are naturally capable of producing. To the jealous legislation of other countries, excluding from their markets, and from competition with their domestic productions, all similar articles of ours, I would oppose counter-legislation. I would interpose strong commercial regulations, with a view the more promptly to develop our mighty sources of manufacturing production. I would guard our infant establishments, as they arose, from the powerful rivalry of foreign governments, and the jealous combinations of foreign capitalists ; well assured that the agriculture of the planting, and grain-growing, and grazing States, could never languish under the fullest expansion of northern labor, and capital, and machinery. Our country has all the elements of a world within herself ; and elements exactly so distributed by nature, as to make the several parts necessary to, and dependent upon, each other. Could my will prevail, the products of southern agriculture should be exchanged against the manufactures of the north, if possible, to the full extent of the demands of each ; and the valley of the Mississippi—a greater than that of the Nile—should be the granary and the pasture for them both. The perfect freedom of our domestic trade is an article of our political liberty. Its enlargement, by the opening of every channel of industry possible to our situation, is the darling passion of my mind. I would do this, not so much to increase our wealth and power, as to show the various sections of this mighty empire—an empire destined, if propitious fortune and human virtue shield it from dismemberment, to include within its embrace the largest number of prosperous human beings ever yet comprehended under one political system—that the distinctive peculiarities between them, properly understood, are blessings from the munificent hand of Heaven, and constitute the best and strongest bonds of their union, meant to be everlasting. I am no enemy of the north ; nor will she ever find me so, unless the new principles and new opinions, which seem to be springing up there, shall precipitate her into the effort which some of her children so madly urge.

But I have been told, sir, on this floor, and by a northern member, that I must not press my resolutions, because that is the surest way to bring about such a result ; and I am to avow a fear, lest such a thing should actually be done. The north can dissolve the Union, and will, if we question her right to solicit our co-operation ! If they can and will, why let them do it in their own way ; but, for Heaven's sake, and in the name of all that is decent, let them not ask us to do it. We may well say to them, what Hazael said when his treason was prophesied to him : "Is thy servant a dog, that he should do this thing ?" But we are warned not to breathe the slightest censure on one of our own members for bringing here a proposition

which may well be characterized as atrocious—the first, the very first of the kind that mortal impudence has ever laid before this body. Sir, we heard the southern gentlemen taunted yesterday—jeered, for arraying themselves against this petition. It goes a whole stone's cast beyond any thing which the southern nullifiers ever dreamed of. The gentleman has gone beyond them far away. It seems that the New England brain, in this department as in all others, needs but a hint straightway to improve on it. The convention that sat at Columbia never took the ground that Congress had power to dissolve the Union; nor did they so much as pretend that they were themselves overthrowing the constitution. I know what they said, though I differed from them then, and shall forever differ. They said they were maintaining the constitution. They insisted they had a right, a constitutional right, (I confess I never knew where they got it from,) to arrest within their own limits, by State authority, the execution of what they deemed an unconstitutional law, until there was time for a convention of the other States; which is, according to their theory, a sort of fourth department of our government, constitutional in itself, and to be resorted to on extraordinary occasions, to settle a constitutional dispute between a sovereign State and the decision of the entire federal government.

But we are told that it is an ungracious act to inflict so severe a censure on one so venerable; to brand with parliamentary disgrace the name of one who has passed a long life in the public service, and stands connected with the entire history of his country, from Washington to Tyler. He has taken up in his old age, to be sure, some peculiar notions, (and very peculiar they are, I acknowledge;) and, though we do not quite approve them, he is to be allowed to proceed and carry them out, even to the extent of overturning the government; and we must not stir a finger, lest we precipitate the very doom we dread; and that those who urge this censure are responsible for the waste of time and sacrifice of public interest. Waste of time, forsooth! Does the gentleman from Virginia (Mr. Botts) remember that the gentleman from Massachusetts, whose cause he now so strenuously and so ably—I will not say artfully—advocates, the other day offered a petition praying his own removal from the head of the Committee of Foreign Relations, and asked the permission of the House to defend himself from the charges contained therein? Does the gentleman also remember that his friend and client then was assured, by the representative of the district from whence the petition purported to come, that it was fictitious and a hoax; and, from the peculiar stamp of the paper, the memorial was evidently manufactured here? In good faith, sir, and with the hope that the gentleman would place himself right before the country, and vindicate himself from the strong suspicions growing out of his course here, I moved that he should be heard. How did he requite the indulgence of the House. Why, sir, he turned upon southern gentlemen and southern institutions, in words of fire, and tones of fury, such as he alone could ever utter; with all the passions of his passionate nature blazing out, as they are always ready to do when one hated word, the word *south*, strikes upon his ear. Sir, on that occasion—an occasion of indulgence, procured for him by the motion of a member from a slave State—with the floodgates of his wrath and bitterness flung wide, he poured forth a torrent of invective, in terms so outrageous and offensive, as threw the House into an uproar, and compelled his friend and champion (Mr. Botts) to vote against permitting him to proceed. On that occasion he was silenced, and by the assistance of the gentleman from Virginia. Well, sir,

his next step is to offer this proposition to dissolve the Union ; and then such a defence as I have been examining. And this is to be passed over, out of pity or contempt ! We are to treat him as a superannuated imbecile, beneath parliamentary inquiry or notice. Sir, his friends and advocates have arrayed him in every quality which can make a man at once great and terrible. They have conceded to his hand every instrument of mighty mischief : gifts of understanding, of eloquence, of knowledge, of dignity, of power to move the public mind ;—and yet, after painting him thus, the same gentlemen turn round and tell us that he is no fit subject for the action of this House. I have placed myself near his seat, and listened with profound attention to all he has said upon the subject of these petitions. I wanted to understand distinctly his object, in the extraordinary course he seems determined to pursue ; and, for one, I am convinced. If the gentleman's combined declarations and action are to be trusted as true exponents of his purpose, then his purpose is, ultimately, that which is expressed in the petition he has offered. Not yet—not yet, perhaps. Things are not ripe ; agitation, deep agitation for the present ;—such agitation as he has promised, if he be indeed called on for further defence—and execution hereafter.

Now, sir, I call upon the north to say whether these are their serious purposes or not. I ask of the able and honorable men who represent northern interests on this floor, whether these be indeed their views. Do they really mean revolution ; and do they put this gentleman forward, by way of feeler, because his age, and dignity, and past services, and venerable appearance, are calculated to suspend the vindictive action of this House ? Do they thus seek to escape personal responsibility ?

Mr. Speaker, when that most touching and tearful scene between the gentleman from Ohio (Mr. GIDDINGS) and my colleague (Mr. UNDERWOOD) was enacting before our wondering eyes the other day, the gentleman from Ohio expressed himself as coinciding perfectly with the views of my colleague ; he returned thanks to my colleague for having expressed them. He assured my colleague, and all southern gentlemen, that he had no thought of such a thing as interfering with slavery within the States where it existed ; but he and his friends—mark that, sir—he and his friends wanted to be freed from the expense of maintaining it. One word more, sir, and he would have developed his plan ; but southern members rose and stopped him. I entreated them not to do so ; I implored them to let him talk on. The gentleman is a neighbor of mine ; we are coterminous, with but a river flowing between. The views of himself and *friends* are matters of mighty interest to my section of the country. Never lover longed for the whispered consent about to be wrung from his reluctant mistress, as I to hear the disclosure he was about to make under this new-born alliance between himself and my colleague.

Mr. Speaker, this is the first time in our history that any man has been bold enough to introduce on this floor a paper proposing a dissolution of the Union. He ought to be boldly met. If, sir, we meet him and the petition with as decided a temper as he himself exhibits,—if we rebuke the infamous proposal to us to break our oaths, in tones of indignation such as it justly merits,—it will have a healthful effect throughout the whole extent of the land. The action of government has, and ought to have, a powerful influence over public opinion ; the people and their representatives, like opposite mirrors, are mutually reflectors of each others' sentiments. It will glad

den the heart and strengthen the hands of every loyal, true-hearted American, of whom I well know there are millions in the north as violently opposed to the incendiary schemes at work among them as am I; and this, if any thing, will have the effect of checking this gentleman and his associates in any farther proceedings they may meditate in this line of policy.

Sir, for all the bitter and envenomed things he has said against me, in the progress of this debate, I forgive him. He said that I boasted to him of my aristocratic blood. The rules of this House forbid my characterizing that assertion as it deserves. I forgive him that, too; and were it in my power to exorcise from out his heart the demon of mischief which threatens all that is dear to me; if it were possible that he could be brought in any good degree to recant what he has here declared; if I could see any gleaming of that spirit of pacification, that love for the constitution, and that zeal for the Union, which has here been accorded to him by others;—I would instantly and joyfully retract all that I have said. I am the last man on this earth who would strike wantonly at that venerable head, around which there rally so many associations to intercept even a merited blow.

I now, sir, in redemption of my pledge to the gentleman from Indiana, renew the motion to lay the whole subject on the table; trusting, however, that the House will not thus evade a direct vote on a question which, I must think, their own dignity, its own intrinsic importance, and the public expectation, require us to meet full in the face.